

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: FITZHUGH et al.Application No./Patent No.: 10/623,239 Filed/Issue Date: July 17, 2003Entitled: HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING POLYMERS & METHODS FOR THEIR MANUFACTURE & USE

Medtronic Vascular, Inc., a Corporation
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
 (The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: FITZHUGH et al. To: Medtronic AVE, Inc.
 The document was recorded in the United States Patent and Trademark Office at Reel 018337, Frame 0349, or for which a copy thereof is attached.
2. From: Medtronic AVE, Inc. To: Medtronic Vascular, Inc.
 The document was recorded in the United States Patent and Trademark Office at Reel 018337, Frame 0349, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Catherine C. Maresh
 Signature

December 6, 2006
 Date

Catherine C. Maresh, Reg. No. 35,268
 Printed or Typed Name

707.591.2515
 Telephone Number

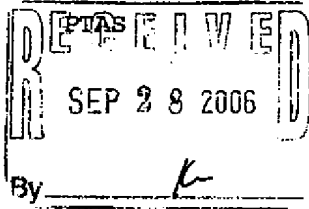
Senior Patent Counsel
 Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

*Am 12
P66***UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 28, 2006

MEDTRONIC VASCULAR, INC.
3576 UNOCAL PLACE
SANTA ROSA, CA 95403***500157624A***

500157624A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 09/28/2006

REEL/FRAME: 018313/0582

NUMBER OF PAGES: 6

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: P497 DIV1

ASSIGNOR:

MEDTRONIC AVE, INC.

DOC DATE: 09/08/2003

ASSIGNEE:

MEDTRONIC VASCULAR, INC.
3576 UNOCAL PLACE
SANTA ROSA, CALIFORNIA 95403

SERIAL NUMBER: 10623239

FILING DATE: 07/17/2003

DOCKETED

PATENT NUMBER:

ISSUE DATE:

TITLE: HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING
POLYMERS AND METHODS FOR THEIR MANUFACTURE AND USERECEIVED *12*

2nd Review

018313/0582 PAGE 2

SERIAL NUMBER: 09972219

FILING DATE: 10/04/2001

PATENT NUMBER: 6703046

ISSUE DATE: 03/09/2004

TITLE: HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING
POLYMERS AND METHODS FOR THEIR MANUFACTURE AND USE

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

09/28/2006
500157624

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	CHANGE OF NAME
CONVEYING PARTY DATA	
Name	Execution Date
Medtronic AVE, Inc.	09/08/2003
RECEIVING PARTY DATA	
Name:	Medtronic Vascular, Inc.
Street Address:	3576 Unocal Place
City:	Santa Rosa
State/Country:	CALIFORNIA
Postal Code:	95403
PROPERTY NUMBERS Total: 2	
Property Type	Number
Application Number:	10623239
Patent Number:	6703046
CORRESPONDENCE DATA	
Fax Number:	(707)543-5420
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	(707) 591-2515
Email:	kimberly.melvin@medtronic.com
Correspondent Name:	Medtronic Vascular, Inc.
Address Line 1:	3576 Unocal Place
Address Line 4:	Santa Rosa, CALIFORNIA 95403
ATTORNEY DOCKET NUMBER:	P497 DIV1
NAME OF SUBMITTER:	Alan M. Krubiner
Total Attachments: 4 source=AVE to Vascular Name Change 9.9.03#page1.tif source=AVE to Vascular Name Change 9.9.03#page2.tif source=AVE to Vascular Name Change 9.9.03#page3.tif	

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source=AVE to Vascular Name Change 9.9.03#page4.tif

Delaware

PAGE 1

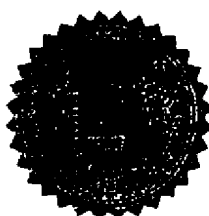
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE RESTATED CERTIFICATE OF "MEDTRONIC AVE, INC.", CHANGING ITS NAME FROM "MEDTRONIC AVE, INC." TO "MEDTRONIC VASCULAR, INC.", FILED IN THIS OFFICE ON THE NINTH DAY OF SEPTEMBER, A.D. 2003, AT 1:20 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2269660 8100

030580192

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State
AUTHENTICATION: 2622839

DATE: 09-09-03

SEP-09-2003 11:40

State of Delaware
Secretary of State
Division of Corporations
Delivered 01:19 PM 09/09/2003
FILED 01:20 PM 09/09/2003
SRV 030580192 - 2269660 FILE

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
MEDTRONIC AVE, INC.**

Medtronic AVE, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware, hereby certifies as follows:

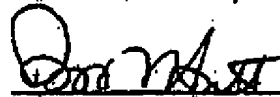
1. The name of the corporation is "Medtronic AVE, Inc." Its original Certificate of Incorporation was filed with the Secretary of State on July 30, 1991 under the name "Applied Vascular Engineering, Inc." Through subsequent filings with the Secretary of State, the name was changed to "Arterial Vascular Engineering, Inc." on January 30, 1996 and to "Medtronic AVE, Inc." on January 28, 1999, as the result of a merger on that date with MAV Merger Corp., which was incorporated in the State of Delaware on November 24, 1998.

2. The Amended and Restated Certificate of Incorporation of the corporation, in the form attached hereto as Exhibit A, has been duly adopted by the corporation's Board of Directors and sole stockholder in accordance with the provisions of Sections 141, 228, 242 and 245 of the General Corporation Law of the State of Delaware pursuant to unanimous written consent with waiver of meeting notice.

3. The Amended and Restated Certificate of Incorporation so approved reads in full as set forth in Exhibit A hereto and is hereby incorporated by reference herein.

IN WITNESS WHEREOF, Medtronic AVE, Inc. has caused this Certificate to be signed by David J. Scott, its Vice President and Secretary, this 8th day of September 2003.

MEDTRONIC AVE, INC.



David J. Scott, Vice President and Secretary

ATTEST:


Carol E. Malkinson, Assistant Secretary

Exhibit A

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
MEDTRONIC VASCULAR, INC.**

ARTICLE 1 - NAME

The name of the corporation shall be Medtronic Vascular, Inc.

ARTICLE 2 - REGISTERED OFFICE AND AGENT

The registered office of the corporation in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware, 19801. The name of its registered agent at such address is The Corporation Trust Company.

ARTICLE 3 - PURPOSES

The nature of the business or purposes to be conducted or promoted by the corporation is to engage in any lawful acts and activities for which corporations may be organized under the General Corporation Law of Delaware.

ARTICLE 4 - STOCK

The aggregate number of shares the corporation has authority to issue shall be 2,500 shares of Common Stock, \$.01 par value. Holders of Common Stock shall be entitled to one vote for each share of Common Stock held of record.

ARTICLE 5 - RIGHTS OF STOCKHOLDERS

5.1) **No Preemptive Rights.** No holder of shares of the corporation of any class now or hereafter authorized has any preferential or preemptive right to subscribe for, purchase or receive any shares of the corporation of any class now or hereafter authorized, or any options or warrants for such shares, which may at any time be issued, sold or offered for sale by the corporation.

5.2) **No Cumulative Voting Rights.** No holder of shares of the corporation of any class now or hereafter authorized shall be entitled to cumulative voting.

ARTICLE 6 - MEETINGS AND BOOKS

6.1) Meetings of Stockholders and Election of Directors. Meetings of stockholders may be held within or outside the State of Delaware, as the Bylaws may provide. Elections of directors need not be by written ballot unless and except to the extent that the Bylaws so provide.

6.2) Corporate Books. The books of the corporation may be kept within or (subject to any provision contained in the statutes) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws of the corporation.

ARTICLE 7 - LIMITATION OF DIRECTOR LIABILITY

To the fullest extent permitted by the Delaware General Corporation Law, as the same exists or may hereafter be amended, a director of the corporation shall not be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director. If the Delaware General Corporation Law is amended after the date of the filing of this Amended and Restated Certificate of Incorporation to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the Delaware General Corporation Law, as so amended from time to time. No repeal or modification of this Article 7 by the stockholders shall adversely affect any right or protection of a director of the corporation existing by virtue of this Article 7 at the time of such repeal or modification.

ARTICLE 8 - BYLAWS

The Board of Directors is expressly authorized to make and alter Bylaws of this corporation, subject to the power of the stockholders to change or repeal such Bylaws and subject to any other limitations on such authority provided by the General Corporation Law of Delaware.

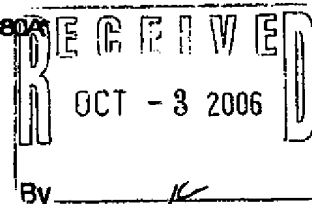
*Amik
Perc***UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCTOBER 03, 2006

PTAS

500159380AMEDTRONIC VASCULAR, INC.
3576 UNOCAL PLACE
SANTA ROSA, CA 95403

500159380A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 10/03/2006

REEL/FRAME: 018337/0349

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: P497DIV1

ASSIGNOR:

CAFFERATA, ROBERT

DOC DATE: 11/07/2001

ASSIGNOR:

KEEFER, LARRY K.

DOC DATE: 11/13/2001

ASSIGNEE:

MEDTRONIC AVE, INC.
3576 UNOCAL PLACE
SANTA ROSA, CALIFORNIA 95403**DOCKETED**EBC *K*

RECORD

2nd Review

018337/0349 PAGE 2

SERIAL NUMBER: 10623239

FILING DATE: 07/17/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING
POLYMERS AND METHODS FOR THEIR MANUFACTURE AND USE

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

10/03/2006
500159380

SUBMISSION TYPE:	NEW ASSIGNMENT						
NATURE OF CONVEYANCE:	ASSIGNMENT						
CONVEYING PARTY DATA							
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Robert Cafferata</td><td>11/07/2001</td></tr><tr><td>Larry K. Keefer</td><td>11/13/2001</td></tr></tbody></table>		Name	Execution Date	Robert Cafferata	11/07/2001	Larry K. Keefer	11/13/2001
Name	Execution Date						
Robert Cafferata	11/07/2001						
Larry K. Keefer	11/13/2001						
RECEIVING PARTY DATA							
Name:	Medtronic AVE, Inc.						
Street Address:	3576 Unocal Place						
City:	Santa Rosa						
State/Country:	CALIFORNIA						
Postal Code:	95403						
PROPERTY NUMBERS Total: 1							
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>10623239</td></tr></tbody></table>		Property Type	Number	Application Number:	10623239		
Property Type	Number						
Application Number:	10623239						
CORRESPONDENCE DATA							
Fax Number: (707)543-5420 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>							
Phone: (707) 591-2515							
Email: kimberly.melvin@medtronic.com							
Correspondent Name: Medtronic Vascular, Inc.							
Address Line 1: 3576 Unocal Place							
Address Line 4: Santa Rosa, CALIFORNIA 95403							
ATTORNEY DOCKET NUMBER:	P497DIV1						
NAME OF SUBMITTER:	Alan M. Krubiner						
Total Attachments: 3 source=Cafferata assignment#page1.tif source=Keefer assignment#page1.tif source=Keefer assignment#page2.tif							

CH \$40.00 10623239

ASSIGNMENT

WHEREAS, I, Robert Cafferata, hereinafter "ASSIGNOR," have invented certain new and useful improvements disclosed in an application for United States Letters Patent entitled **HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE RELEASING POLYMERS & METHODS FOR THEIR MANUFACTURE & USE**, filed October 4, 2001, as Application Serial No. 09/972219.

WHEREAS, ASSIGNOR warrants that he has rights, title and interest in and to said new invention and that he has never assigned, encumbered or licensed said invention or any interest therein to any person or entity whatsoever; and


WHEREAS, MEDTRONIC AVE, INC., a Delaware corporation, having an office and place of business at 3576 Unocal Place, Santa Rosa, California 94503, hereinafter "ASSIGNEE," is desirous of acquiring ASSIGNOR'S rights, title and interest in and to said invention, described in said application, in the United States and throughout the world;

NOW, THEREFORE, for and in consideration of our employment by ASSIGNEE, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said ASSIGNOR does sell, assign, transfer, and set over unto said ASSIGNEE, its successors and assigns, the entire right, title and interest in and to said invention in the United States and throughout the world, and in and to any Letters Patents, reissues, continuations or divisions of which may be granted and issued therefor; and hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said invention to ASSIGNEE in accordance with terms of this assignment;

AND ASSIGNOR further agrees to execute all necessary documents and to perform all acts reasonably required of him for the purpose of protecting the rights herein assigned, including, without limitation, any applications for patent, for reissues, or for continuations and/or divisions in whole or in part, and the like which may heretofore or may be hereinafter filed, but all at the expense of said ASSIGNEE.

IN TESTIMONY WHEREOF, I have hereunto signed my name at Santa Rosa, CA. 95403, on the dated indicated:


Date: 11-7-01


Robert Cafferata
55 Warwick Road
Belmont, MA 02478

STATE OF CALIFORNIA)
COUNTY OF SONOMA) ss

On this 7TH day of NOVEMBER, 2001, before me Kim S. Grigg, the undersigned Notary Public, personally appeared Robert Cafferata, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.




Notary Public

ASSIGNMENT

WHEREAS, We Anthony L. Fitzhugh, a United States Citizen, residing at 2117 Independence Street, Frederick, MD 21702, an employee of Scientific Applications International Corporation (SAIC) a contractor to the Department of Health and Human Services at the time the invention was made; and Larry K. Keefer, a United States Citizen, residing at 7016 River Road, Bethesda, MD 20817, an employee of the Department of Health and Human Services at the time the invention was made, are the co-inventors of the invention described and set forth in patent application HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING POLYMERS & METHODS FOR THEIR MANUFACTURE & USE, for which we have made application (together with the other inventors) for Letters Patent of the United States, Serial Number 09/972219, filed October 4, 2001;

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States, as represented by the Secretary, Department of Health and Human Services (hereinafter THE GOVERNMENT) under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States is desirous of acquiring our domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) by the THE GOVERNMENT to us paid, and other valuable consideration, the receipt and legal sufficiency of all of which is hereby acknowledged, We, the said ASSIGNORS, have sold and do hereby sell, assign, transfer and set over unto THE GOVERNMENT the entire right, title and interest in and to said inventions and all improvements thereon, in and to said application for Letters Patent thereon, in and to applications pertaining to or based upon said inventions and applications, including divisional and continuing applications and continuations-in-part, and in and to any and all Letters Patent which may be granted and issued on said inventions and applications, or any of them, not only for, to and in the United States of America, its territories and possessions, but for, to and in all countries foreign thereto, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment.

And for the above-named considerations, We do hereby agree that we will, at the request of THE GOVERNMENT, execute any and all applications for Letters Patent for said inventions and any and all other papers and documents and do all other and further lawful acts that THE GOVERNMENT may deem necessary or desirable to obtain Letters Patent on said inventions, to secure the grant of such Letters Patent and to perfect and vest in THE GOVERNMENT the entire right, title and interest in the inventions, applications and Letters Patent.

And for the above-named considerations, We do hereby authorize and empower THE GOVERNMENT to apply for and obtain, in its or their own names, Letters Patent for the said inventions before competent International Authorities and in any and all countries foreign to the United States in which applications for Letters Patent can be so made or Letters Patent so obtained.

Dated: _____

Anthony L. Fitzhugh

Dated: Nov. 13, 2001

Larry K. Keefer
Larry K. Keefer

STATE OF _____)
)ss
COUNTY OF _____)

On this _____ day of _____, 2001, before me _____, the undersigned Notary Public, personally appeared Anthony L. Fitzhugh, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

Notary Public

STATE OF Maryland)
)ss
COUNTY OF Frederick)

On this 13th day of November, 2001, before me Wanda K. Shook, the undersigned Notary Public, personally appeared Larry K. Keefer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

Wanda K. Shook, Notary Public
Frederick County
State of Maryland
My Commission Expires Oct. 1, 2002

Wanda K. Shook
Notary Public

Facsimile Transmission

*This company uses RightFAX® fax
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From: Name: USPTO ASSIGNMENT DIVISION
 Fax Number:
 Voice Phone: 571-272-3350

To: Name: SUBMITTER
 Company: Faxed to Submitter's Fax Number
 Fax Number: 17075435420
 Voice Phone:

Fax Notes:

Pg#	Description
1	Cover Page
2	347.TXT
4	Document 1, Batch 755314

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Date and time of transmission: Tuesday, October 03, 2006 11:57:44 AM
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